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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Lev Brouk

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3908

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06/14/2006

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EXAMINER

CHANG, JULIAN

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/820,965	<b>Applicant(s)</b> BROUK ET AL.	
	<b>Examiner</b> Julian Chang	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/17/06-04/17/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-34 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-34 are indefinite under 35 U.S.C 112, second paragraph, as the term “logical routing” is not well defined in the claims or the specification. In light of the claims and the specification, “logical routing” is understood to mean routing that occurs without being physically delivered over the Internet, i.e., internal routing, or routing within a system. For the purposes of examination, “logical routing” will be construed to mean internal routing.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

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351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 14-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ims et al.

(hereinafter Ims), US 2002-0091533.

4. As per claim 14, Ims teaches a message routing system, comprising:

a message routing network that enables routing of application-level messages between a plurality of services, said message routing network being built on an open platform ('platform independent', [0098]) overlaying a public network ('open distributed environment', [0098]), wherein said routing is based on a logical routing of said message that is effected through a sequence of invocations among said plurality of services, said logical routing allowing services to be invoked without the messages being physically delivered to one or more of the services among the plurality of services (Ims teaches both physical routing (i.e., external fulfillment), and logical routing (i.e., internal fulfillment). 'route the split orders for internal and external fulfillment procession', [0068]), wherein a context of an invocation is defined at least in part by an invoking service, wherein upon return from a service invocation, said message routing network restores a message context to a context state of an invoking service of said service invocation ([0068-0069]).

5. As per claim 15, Ims teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a header element of a message ([0068-0069]; Appendix A.3, pg 29; Appendix A.5, pg 39 wherein the XML headers contains the invocation information).

6. As per claim 16, lms teaches the message routing system of claim 14, wherein a context to an invocation includes an identity of an invoker service ([0033]; [0068-0069]).

7. As per claim 17, lms teaches the message routing system of claim 14, wherein a context to an invocation includes arguments to an invoked service (Appendix 1.A, pg 13).

8. As per claim 18, lms teaches the message routing method of claim 1, wherein a context to an invocation includes a session identifier for said message ([0071]; wherein the session IDs corresponding to various types of transactions in the e-business environment).

9. As per claim 19, lms teaches the message routing method of claim 1, wherein a context to an invocation includes a topic for said message (Appendix A.1, pg 14, name, description and the author of the message is indicated).

10. As per claim 20, lms teaches a context to an invocation includes billing responsibility for said invocation ([0013]).

11. As per claim 21, lms teaches the message routing method of claim 1, wherein said message routing network controls at least part of an invocation ([0068-0069]).

12. As per claim 22, lms teaches the message routing system of claim 14, wherein said logical routing occurs prior to a physical routing of a message ([0063]; [0068]).

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13. As per claim 23, Ims teaches the message routing system of claim 14, wherein at least part of said logical routing occurs after initiation of a physical routing of a message ([0033]; [0068-0069]).

14. As per claim 24, Ims teaches the message routing system of claim 14, wherein physical routing of a message occurs at identified points during said logical routing ([0033]; [0068-0069]).

15. As per claim 25, Ims teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a header element of a message ([0068-0069]; Appendix A.3, pg 29; Appendix A.5, pg 39 wherein the XML headers contains the invocation information).

16. As per claim 26, Ims teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a body element of a message ([0068-0069]; Appendix A.5, pg 39).

17. As per claim 27, Ims teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in an attachment of a message (the XML document and scripts are part of the attachment in the message, [0016]; [0090]; [0095]).

18. As per claim 28, Ims teaches a message routing method, comprising:

(a) invoking a first service that receives only logical delivery of an application message, said logical delivery allowing first service to act on said message without said message being physically delivered to said first service (Ims teaches both physical routing (i.e., external

fulfillment), and logical routing (i.e., internal fulfillment). 'route the split orders for internal and external fulfillment procession', [0068]), wherein said first service invocation has a first context defined at least in part by a first invoking service ([0033]; [0068-0069]; [0051]);

(b) invoking a second service, said second service invocation having a second context that is defined at least in part by said first service, said message routing network being built on an open platform ('platform independent', [0098]) overlaying a public network ('open distributed environment', [0098]), wherein said second service invocation is managed by a message routing network on behalf of said first service ([0068-0069]); and

(c) delivering said message having said second context to said second service over said public network ([0068-0069]).

19. As per claim 29, Ims teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a header element of a message ([0068-0069]; Appendix A.3, pg 29; Appendix A.5, pg 39 wherein the XML headers contains the invocation information).

20. As per claim 30, Ims teaches the message routing method of claim 1, wherein a context to an invocation includes an identity of an invoker service ([0068-0069]; identity are the vendors, it should be noted that the vendor information as well as other parameters, i.e. invocation information are all part of the XML document).

21. As per claim 31, Ims teaches the message routing method of claim 1, wherein a context to an invocation includes arguments to an invoked service ([0063]; [0068-0069]).

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22. As per claim 32, Ims teaches the message routing method of claim 1, wherein a context to an invocation includes a session identifier for said message ([0071]; wherein the session IDs corresponding to various types of transactions in the e-business environment).

23. As per claim 33, Ims teaches the message routing method of claim 1, wherein a context to an invocation includes a topic for said message (Appendix A.1, pg 14, name, description and the author of the message is indicated).

24. As per claim 34, Ims teaches a context to an invocation includes billing responsibility for said invocation ([0013]).

***Allowable Subject Matter***

25. Claims 1-13 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: The references of record, in particular Ims, fails to singly or in combination teach a message routing network for exchanging application-level messages between services in which the context of the communication between the services is established by the services. The closest art of record, Ims teaches the coordination of the communication between services through the use of trading partner agreements, and other predetermined means.



***Response to Arguments***

26. Applicant's arguments have been addressed in the body of the rejection.

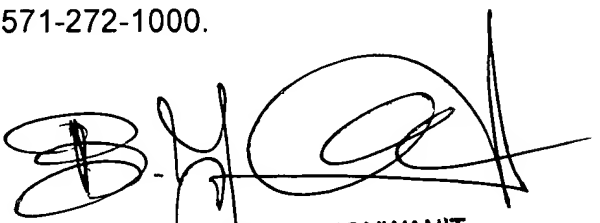
***Conclusion***

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Chang whose telephone number is (571) 272-8631. The examiner can normally be reached on Monday thru Friday 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC



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SUPERVISORY PATENT EXAMINER